

NOV 09 2005

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**FACSIMILE TRANSMITTAL SHEET****To:** EXAMINER JOSEPH M. PELHAM**FIRM/COMPANY:** Mail Stop Amendment**FACSIMILE NUMBER:** (571-273-8300)**CONFIRMATION  
TELEPHONE:****FROM:** Ruth Der, Paralegal**DIRECT DIAL:** 415.371.2231**DATE:** November 9, 2005**USER NUMBER:****FILE NUMBER:** Atty. Docket No. R0367-01601, Serial No. 10/658,911**TOTAL # OF PAGES:  
(INCLUDING COVERSHEET)** 6**MESSAGE:** Attached is *Response to Office Action and Terminal Disclaimer.***Please confirm receipt of this facsimile.**

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of	)	Examiner: Joseph M. Pelham
Burbank et al.	)	Group Art Unit: 3742
For: TISSUE SITE MARKERS FOR IN VIVO	)	
IMAGING	)	
Serial No.: 10/658,911	)	<u>TRANSMITTAL</u>
Filed: September 10, 2003	)	
Atty. Docket No.: R0367-01601	)	

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

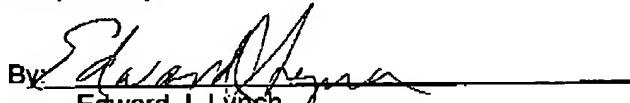
I hereby certify that these papers are being sent by facsimile to (571) 273-8300, addressed to Attn: Joseph M. Pelham at Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 9, 2005, in San Francisco, CA.  
By: [Signature]

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application are the following:
  - Response to Office Action Mailed 11/03/2005; and
  - Terminal Disclaimer.
2. Fees due
  - Terminal Disclaimer, \$55.
3. Payment of Fees Due
  - The Commissioner is authorized to charge the required fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-01601. A duplicate copy of this transmittal is enclosed for this purpose.

Respectfully,

By   
 Edward J. Lynch  
 Registration No. 24,422  
 Attorney for Applicants

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